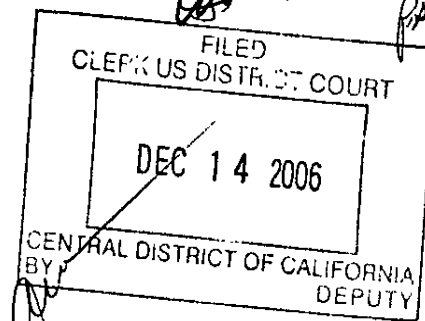


ORIGINAL

SCANNED

1 ADRIENNE C. PUBLICOVER (SBN 161432)
 2 DENNIS J. RHODES (SBN 168417)
 3 PAMELA P. PHAM (SBN 235493)
 4 WILSON, ELSE, MOSKOWITZ,
 5 EDELMAN & DICKER LLP
 525 Market Street, 17th Floor
 San Francisco, CA 94105
 Telephone: (415) 433-0990
 Facsimile: (415) 434-1370

6 Attorneys for Plaintiff
 7 AMERICAN GENERAL LIFE
 INSURANCE COMPANY



UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

12 AMERICAN GENERAL LIFE
 INSURANCE COMPANY,

13 Plaintiff,

14 v.

15 DAVID HIGGINS, RONALD
 16 HIGGINS, WILLIAM HIGGINS,
 17 JOSEPH WALKER and DOES 1-50,

18 Defendants.

CASE NO. CV06-6550 FMC (JWJx)

STIPULATION AND ORDER FOR
 ENTRY OF JUDGMENT IN
 INTERPLEADER

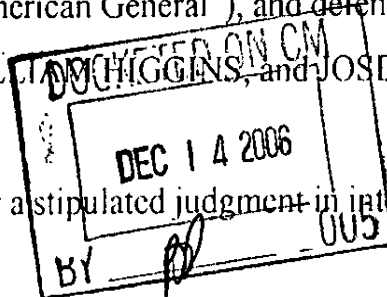
The Honorable Florence-Marie Cooper

19 IT IS HEREBY STIPULATED, by and between plaintiff AMERICAN
 20 GENERAL LIFE INSURANCE COMPANY, formerly known as The Old Line Life
 21 Insurance Company of America, ("American General"), and defendants DAVID
 22 HIGGINS, RONALD HIGGINS, WILLIAM HIGGINS, and JOSEPH WALKER, as
 23 follows:

24 1. That this Court may enter a stipulated judgment in interpleader in the
 25 form attached hereto as Exhibit A;

26 2. That, by reason of the death of Mauricina Altier ("decedent"), on May
 27 24, 2006, the sum of One Hundred Thousand Dollars (\$100,000.00)

28
 STIPULATION AND ORDER FOR ENTRY OF JUDGMENT IN INTERPLEADER
 USDC CDCA No. CV06-6500 FMC (JWJx)
 2515083



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1 ("Benefit proceeds") became payable pursuant to Life Insurance Policy No. GL-
2 2314363 (the "Policy") that was issued by The Old Line Life Insurance Company of
3 America to the decedent, effective September 28, 1998;

4 3. That defendants David Higgins, Ronald Higgins, William Higgins, and
5 Joseph Walker each claim entitlement to some or all of the Benefit Proceeds and
6 that, to date, no other person or entity currently makes claim to American General
7 for the Benefit Proceeds;

8 4. That American General was ready, willing, and able to deliver the
9 Benefit Proceeds to the person(s) legally entitled thereto. However, by reason of the
10 actual and potential competing claims to the Benefit Proceeds, American General
11 did not know and was unable to determine the person(s) legally entitled to them;

12 5. That concurrently with the filing of its complaint in interpleader,
13 American General deposited with the Clerk of this Court the Benefit Proceeds,
14 totaling One Hundred and One Thousand Two Hundred Fifty-Three Dollars and
15 Forty-Eight Cents (\$101,253.48), which represents the insurance proceeds payable
16 under the Policy, plus interest;

17 6. That having deposited the monies with the Clerk of the Court on or
18 about October 13, 2006, American General, its predecessors, successors, affiliates,
19 parent corporation, officers and agents are fully and forever released, discharged,
20 and acquitted from any liability of any kind or nature whatsoever under the Policy or
21 by reason of the death of the decedent as to any and all claims, charges, demands, or
22 otherwise that exist now or may arise at any time in the future;

23 7. That defendants, David Higgins, Ronald Higgins, William Higgins, and
24 Joseph Walker, consent to the jurisdiction of this Court;

25 8. That American General is entitled to fees of \$1,650.00 and costs of
26 \$350.00, for a total of \$2,000.00, to be paid out of the Benefit Proceeds deposited
27 with the Clerk of this Court;

9. That the first disbursement of the Benefit Proceeds in the amount of \$2,000.00 will be paid to American General for the attorney's fees and costs it has incurred in connection with this litigation;

10. That the second disbursement of the remaining Benefit Proceeds, in the amount of \$99,253.48, will be made in the manner set forth below;

11. That each of the four defendants, David Higgins, Ronald Higgins, William Higgins, and Joseph Walker, is entitled to and will receive \$24,813.37, which is an amount that is equal to twenty-five percent of the remaining Benefit Proceeds, as set forth above;

12. That defendants David Higgins, Ronald Higgins, William Higgins, and Joseph Walker are permanently enjoined from instituting or prosecuting any proceeding in any state or United States court against American General, its predecessors, successors, affiliates, parent corporation, officers and agents with respect to the Benefit Proceeds, or any action in connection with this Policy; and

13. That American General is dismissed from this action with prejudice.

IT IS SO STIPULATED.

Dated: December 12, 2006

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

By: 

Adrienne C. Publicover
Dennis J. Rhodes
Pamela P. Pham
Attorneys for Plaintiff
AMERICAN GENERAL LIFE
INSURANCE COMPANY

Dated: _____

By: _____
David Higgins, Defendant

Attach Notarial Endorsement

Dated: _____ By: _____
Ronald Higgins, Defendant

Attach Notarial Endorsement

SCANNED

Dated: Dec. 7, 2006 By: David Williams Higgins
David Williams Higgins, Defendant

Attach Notarial Endorsement

Dated: _____ By: _____
Joseph Walker, Defendant

Attach Notarial Endorsement

ORDER

PURSANT TO STIPULATION, IT IS SO ORDERED.

Dated: Dec. 13, 2006 Florence Marie Cooper
HON. FLORENCE-MARIE COOPER
United States District Court Judge

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 1193

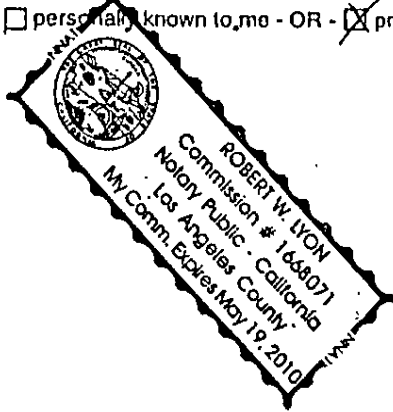
State of CALIFORNIA

County of LOS ANGELES

On 12-7-06 before me, Robert W. Lyon NOTARY PUBLIC
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared David W. Higgins
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[Signature]
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

☒ INDIVIDUAL
☐ CORPORATE OFFICER(S)

TITLE(S)
☐ PARTNER(S) ☐ LIMITED
☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)
SELF

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

OPTIONAL SECTION

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES Four (4)

Stipulation and Order For Entry of Judgment in Interpleader
DATE OF DOCUMENT 12-7-06

1 Dated: 12-6-06

By: [Signature]
Ronald Higgins, Defendant

3 Attach Notarial Endorsement

5 Dated: _____

By: _____
Williams Higgins, Defendant

7 Attach Notarial Endorsement

9 Dated: _____

By: _____
Joseph Walker, Defendant

11 Attach Notarial Endorsement

14 **ORDER**

16 **PURSANT TO STIPULATION, IT IS SO ORDERED.**

18 Dated: _____

HON. FLORENCE-MARIE COOPER
United States District Court Judge

SCANNED

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 5193

State of CALIFORNIA

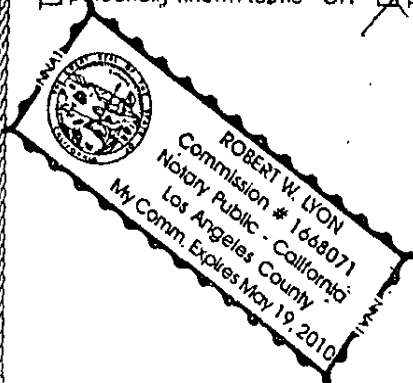
County of LOS ANGELES

On 12-6-06 before me, Robert W. Lyon, NOTARY PUBLIC
DATE NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Ronald Higgins
NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



Robert W. Lyon
SIGNATURE OF NOTARY

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the document.

- ☒ INDIVIDUAL
☐ CORPORATE OFFICER(S)
TITLE(S)
☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

SELF

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

OPTIONAL SECTION

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

Stipulation and Order for
Entry of Judgment in Interpleader
Four (4)
12-6-06

1 Dated: _____

By: _____
Ronald Higgins, Defendant

3 Attach Notarial Endorsement

5 Dated: 12/07/2006

By: William Higgins
Williams Higgins, Defendant

8 Attach Notarial Endorsement

9 Dated: _____

By: _____
Joseph Walker, Defendant

12 Attach Notarial Endorsement

14 **ORDER**

16 **PURSANT TO STIPULATION, IT IS SO ORDERED.**

18 Dated: _____

HON. FLORENCE-MARIE COOPER
United States District Court Judge



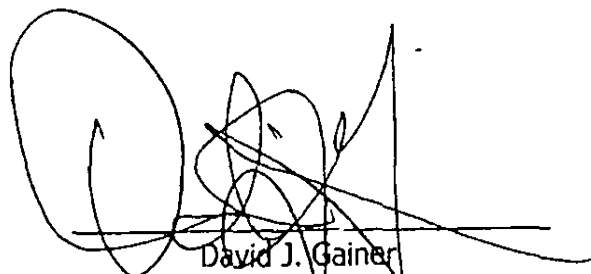
SCANNED

**CONSULATE GENERAL OF THE
UNITED STATES OF AMERICA**

Commonwealth of Australia)
State of Victoria)
City of Melbourne) ss
Consulate General of the)
United States of America)

I, David J. Gainer, Consul of the United States of America at Melbourne, Victoria, Australia, duly commissioned and qualified, do hereby certify that on the 7th day of December, 2006, before me personally appeared William Blackstone Higgins II, personally known, or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to, and who executed the annexed instrument, and being informed by me of the contents of the said instrument he duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 7th day of December, 2006.


David J. Gainer
Consul of the United States of America

1 Dated: _____

By: _____
Ronald Higgins, Defendant

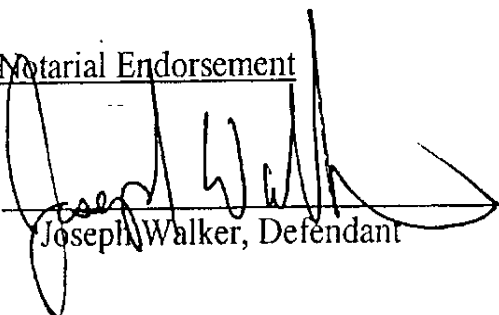
3 Attach Notarial Endorsement

5 Dated: _____

By: _____
Williams Higgins, Defendant

7 Attach Notarial Endorsement

9 Dated: 12-06-06

By: 
Joseph Walker, Defendant

11 Attach Notarial Endorsement

14 **ORDER**

16 **PURSANT TO STIPULATION, IT IS SO ORDERED.**

18 Dated: _____

HON. FLORENCE-MARIE COOPER
United States District Court Judge

00/00/2006

08.11

FIRST CAJ SUPPORT

CAX (213) 250-1197

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

No. 8193

State of CALIFORNIA

County of LOS ANGELES

On 12-6-06 before me, Robert W. Lyon, NOTARY PUBLIC

DATE

NAME, TITLE OF OFFICER - E.G., "JANE DOE, NOTARY PUBLIC"

personally appeared Joseph Walker

NAME(S) OF SIGNER(S)

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

SIGNATURE OF NOTARY

OPTIONAL SECTION

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT:

TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES Four (4) DATE OF DOCUMENT

OPTIONAL SECTION

CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove valuable to persons relying on the document.

☒ INDIVIDUAL

☐ CORPORATE OFFICER(S)

TITLE(S)

☐ PARTNER(S) ☐ LIMITED ☐ GENERAL

☐ ATTORNEY-IN-FACT

☐ TRUSTEE(S)

☐ GUARDIAN/CONSERVATOR

☐ OTHER: _____

SIGNER IS REPRESENTING:

NAME OF PERSON(S) OR ENTITY(IES)

SELF



Stipulation and Order For Entry of Judgment in Interpleader

SCANNED

EXHIBIT A

SCANNED

ADRIENNE C. PUBLICOVER (SBN 161432)
DENNIS J. RHODES (SBN 168417)
PAMELA P. PHAM (SBN 235493)
WILSON, ELSE, MOSKOWITZ,
EDELMAN & DICKER LLP
525 Market Street, 17th Floor
San Francisco, CA 94105
Telephone: (415) 433-0990
Facsimile: (415) 434-1370

Attorneys for Plaintiff
AMERICAN GENERAL LIFE
INSURANCE COMPANY

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

AMERICAN GENERAL LIFE
INSURANCE COMPANY,

Plaintiff,

v.

DAVID HIGGINS, RONALD
HIGGINS, WILLIAM HIGGINS,
JOSEPH WALKER and DOES 1-50,

Defendants.

CASE NO. CV06-6500 FMC (JWJx)

**STIPULATED JUDGMENT IN
INTERPLEADER**

The Honorable Florence-Marie Cooper

Upon reading the Stipulation and Order for Entry of Judgment in Interpleader,
and it appearing that plaintiff AMERICAN GENERAL LIFE INSURANCE
COMPANY, formerly known as The Old Line Life Insurance Company of America,
("American General"), has brought this action in interpleader, that this Court has
jurisdiction of the parties and of the subject herein, and that good cause appearing
therefore,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

STIPULATED JUDGMENT IN INTERPLEADER

USDC CDCA No. CV06-6500 FMC (JWJx)
251502.3

1 1. That American General properly filed its complaint in interpleader and
2 for declaratory relief on October 13, 2006, and this is a proper cause for interpleader;

3 2. That, by reason of the death of Mauricina Altier ("decedent"), on May
4 24, 2006, the sum of One Hundred Thousand Dollars (\$100,000.00)
5 ("Benefit proceeds") became payable pursuant to Life Insurance Policy No. GL-
6 2314363 (the "Policy") that was issued by The Old Line Life Insurance Company of
7 America to the decedent effective September 28, 1998;

8 3. That defendants David Higgins, Ronald Higgins, William Higgins, and
9 Joseph Walker each claim entitlement to some or all of the Benefit Proceeds and
10 that, to date, no other person or entity currently makes claim to American General
11 for the Benefit Proceeds;

12 4. That American General was ready, willing, and able to deliver the
13 Benefit Proceeds to the person(s) legally entitled thereto. However, by reason of the
14 actual and potential competing claims to the Benefit Proceeds, American General
15 did not know and was unable to determine the person(s) legally entitled to them;

16 5. That concurrently with the filing of its complaint in interpleader,
17 American General deposited with the Clerk of this Court the Benefit Proceeds,
18 totaling One Hundred and One Thousand Two Hundred Fifty-Three Dollars and
19 Forty-Eight Cents (\$101,253.48), which represents the insurance proceeds payable
20 under the Policy, plus interest;

21 6. That having deposited the monies with the Clerk of the Court on or
22 about October 13, 2006, American General, its predecessors, successors, affiliates,
23 parent corporation, officers and agents are fully and forever released, discharged,
24 and acquitted from any liability of any kind or nature whatsoever under the Policy or
25 by reason of the death of the decedent as to any and all claims, charges, demands, or
26 otherwise that exist now or may arise at any time in the future;

7. That American General is entitled to fees of \$1,650.00 and costs of \$350.00, for a total of \$2,000.00, to be paid out of the Benefit Proceeds deposited with the Clerk of this Court, and by order of this Court, the Clerk of this Court shall pay such amounts to plaintiff American General, out of the Benefit Proceeds deposited with the Clerk of this Court, by check payable to:

"AMERICAN GENERAL LIFE INSURANCE COMPANY" and
said check to be sent to "Christine F. Leighton, AIG/American General, 2929 Allen Parkway, A10-01, Houston, Texas 77019-2155";

8. That the second disbursement of the remaining proceeds, in the amount of \$99,253.48, will be made to the defendants, David Higgins, Ronald Higgins, William Higgins, and Joseph Walker, in the manner set forth below;

9. That each of the four defendants, David Higgins, Ronald Higgins, William Higgins, and Joseph Walker, is entitled to an equal part of the remaining proceeds or twenty-five percent of the remaining Benefit Proceeds;

10. That by order of this Court, the Clerk of this Court shall pay each defendant out of the Benefit Proceeds deposited with the Clerk of this Court, by check payable to each defendant, as set forth below

a. A check in the amount of \$24,813.37, made payable to "DAVID HIGGINS" and said check to be sent to "720 West Mariposa Street, Altadena, California 91001";

b. A check in the amount of \$24,813.37, made payable to "RONALD HIGGINS" and said check to be sent to "720 West Mariposa Street, Altadena, California 91001";

- 1 c. A check in the amount of \$24,813.37, made payable to
2 "WILLIAM HIGGINS" and said check to be sent to "2 / 3
3 Manikato Avenue, Mordialloc, Victoria, Australia 3195"; and
4 d. A check in the amount of \$24,813.37, made payable to "JOSEPH
5 WALKER" and said check to be sent to "5046 Eagle Rock
6 Boulevard, Altadena, California 91001";

7 11. That defendants David Higgins, Ronald Higgins, William Higgins, and
8 Joseph Walker are permanently enjoined from instituting or prosecuting any
9 proceeding in any state or United States court against American General, its
10 predecessors, successors, affiliates, parent corporation, officers and agents with
11 respect to the Benefit Proceeds, or any action in connection with this Policy; and

12 12. That American General is dismissed from this action with prejudice;

13 13. That upon issuance of the checks to defendants David Higgins, Ronald
14 Higgins, William Higgins, and Joseph Walker, the Clerk of this Court shall send a
15 copy of the transmittal letter to American General's attorney of record confirming
16 mailing of the payment so that American General can document and close its file.

17
18 **IT IS SO ORDERED.**
19
20

21 Dated: _____

22 HON. FLORENCE-MARIE COOPER
23 United States District Court Judge
24
25
26
27
28